-- 227. A recombinant vector comprising a DNA regulatory element operably linked to a DNA molecule encoding the cystic fibrosis transmembrane conductance regulator protein of ~~Table 1~~ Figure 5, wherein the DNA molecule is capable of stable propagation in *E. coli* as a result of:

(*a*) said DNA regulatory element permitting maintenance of the DNA molecule in *E. coli* at a low copy number, or

(*b*) said nucleotide sequence of the DNA molecule being modified to disrupt its expression in *E. coli* while allowing its expression in mammalian cells. --

Cancel claims 202-225.

REMARKS

The attention of the Patent & Trademark Office is directed to the fact that claims 226 and 227 are believed to define the same patentable invention under 37 CFR §1.601(n) as claims 1-16 of United States Patent No. 5,240,846 issued to Francis S. Collins and James M. Wilson, assignors to The Regents of the University of Michigan.

Claims 226 and 227 have been presented for purposes of interference with United States Patent No. 5,240,846 (hereinafter "the '846 Patent"). As is documented below, Applicants are entitled under 35 USC §120 to an effective date of March 5, 1990 (for Serial No. 07/488,307) whereas the '846 Patent is entitled to an effective date of September 18, 1990 (for Serial No. 07/584,275). Consequently the present request is governed by 37 CFR §1.607.